

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STATE OF CALIFORNIA, et al.,
Plaintiffs,
v.
ANDREW WHEELER, et al.,
Defendants.

Case No. [20-cv-03005-RS](#)

**ORDER RE BRIEFING ON
INTERVENTION MOTION**

By prior order, two motions to intervene, Dkt. Nos. 43 and 45, have been submitted without oral argument. Those intervenors (“Private Intervenors”), as well as persons granted leave to submit *amicus* briefs, have been advised that no oral argument will be entertained from them at the upcoming hearing on plaintiffs’ motion for a preliminary injunction, which is being held by video conference. The attorney generals of certain states other than those appearing herein as plaintiffs have now moved to intervene (“State Intervenors”). They seek an expedited briefing schedule on that motion so that it can be decided in advance of the preliminary injunction hearing, such that they will be able to participate in that hearing if the motion is granted.¹

The State Intervenors arguably may be in a different position than the Private Intervenors.

¹ Given the timing constraints, the court exercises its discretion to act on the request to expedite briefing without waiting for a response from plaintiffs. This approach does not unduly prejudice plaintiffs as it relieves them from needing to respond to the scheduling motion, and only shortens their time to respond to the motion to intervene by a few days.

1 Accordingly, good cause appearing, any opposition to the State Intervenor's motion for leave to
2 intervene shall be filed no later than June 11, 2020. The State Intervenor has waived reply, and
3 the motion will then be submitted without oral argument. If no order issues granting intervention
4 and permitting argument at the preliminary injunction hearing, the State Intervenor's briefing on
5 the merits of injunctive relief will be taken into consideration as an *amicus* brief.

6 Any further motions to intervene that may be filed will be considered in due course, but
7 such proposed intervenors will in no event be permitted to argue at the preliminary injunction
8 hearing. Similarly, any further motions for leave to submit *amicus* briefs may be granted unless
9 the parties object on timeliness or other grounds, but no oral argument from *amici curiae* will be
10 entertained.

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12 **IT IS SO ORDERED.**

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14 Dated: June 5, 2020

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17 RICHARD SEEBORG
18 United States District Judge
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